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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,121	04/04/2001	Andy Ming Lee	075.0001	2317
7470	7590	03/03/2006	EXAMINER	
WHITE & CASE LLP PATENT DEPARTMENT 1155 AVENUE OF THE AMERICAS NEW YORK, NY 10036			CORRIELUS, JEAN M	
			ART UNIT	PAPER NUMBER
			2162	

DATE MAILED: 03/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

1. This office action is in response to the submission of the revised section 131 declaration filed on January 30, 2006.

Declaration under Rule 131

2. The submission of the revised section 131 declaration filed on January 30, 2006 does not comply with the provisions of M.P.E.P 2106. It has been placed in the application file. The information referred to therein has not been considered as to the merits.

Remark

3. Applicants filed a declaration under CFR 1.131, on filed July 2 to swear behind Seigel and Takae and separately filed documents in support of the declaration filed on September 6, 2005 and January 30, 2006. The declaration states that the invention was made before the effective filing date of Seigel and Taka as evidenced by (1) copies of source code files; and (2) a directory archive showing a first modified date October 18, 2000 and the last modified date February 7, 2001 for the files. The source code filed on January 30, 2006 is not sufficient to overcome Seigel and Takae in that it does not comply with MPEP 715.07 because the source codes does not provide a clear explanation of what the exhibits describe. The applicants have not explained how the source code teaches all limitations of the claims. The source codes is not sufficient to antedate Seigel and Taka. While some of the comments suggest some of the claim limitations, it is not apparent how the source code teaches all of the limitations of the claimed invention as a whole. For example, where does the program teach "generating a customer

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database including customer records, wherein each customer record tracks a customer”; “crating a plurality of modules for use in the multi-functional customer relationship management tool, wherein each model allows specific access manipulation of the customer and product databases” in the independent claims or “interlinking with front-end GUI to display the product image and information over the Internet, wherein the plurality of modules available to the at least one client representative include at least four members of a set of modules comprising a customer interaction module, a return merchandise management module, a warranty administration module” in the dependent claims. The burden of such a showing is on the applicants.

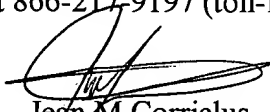
Applicant should duly note that an actual reduction to practice occurs when the claimed invention is actually made or performed and seen to be suitable for its intended purpose. Applicants are also reminded that such submitted source codes must be tested. Such testing must be under actual working conditions or realistic simulation of working conditions. Furthermore, the affidavit, provided by Applicants, fails to recite sufficient facts for the examiner to determine (1) whether there is the test conditions represented actual conditions or realistically simulated conditions; (2) whether the test results demonstrate that the test was in fact successful; and (3) whether the test results, if successful, were also reproducible. In order to comply with 37 CFR 1.131, all the asserted facts must be submitted as supporting evidence. Not only must specific supporting facts be supplied in the affidavit, they must be demonstrated by documentary evidence

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M. Corrielus whose telephone number is (571) 272-4032. The examiner can normally be reached on 10 hours shift.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jean M Corrielus
Primary Examiner
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February 27, 2006